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DOC #: _____
DATE FILED: 5/19/08

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May 12, 2008

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MEMO ENDORSED

United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Attn: Justin

Re: McKenzie v. Gibson, et al.
Judge William H. Pauley, III
Case No.: 07 CV 6714

Dear Judge Pauley:

Our office represents the Plaintiff in the above entitled matter pending before the court.

Counsel for the Defendants has filed a motion to dismiss the Second Amended Complaint pursuant to Rule §12(b)(1) and 12(b)(6).

Counsel previously consented to a thirty day extension from March 28, 2008 to April 28, 2008 to permit Plaintiff to submit opposition to the dismissal motion. The court granted Plaintiff an additional extension to May 12, 2008. I am in need of an additional five days extension until May 16, 2008. Counsel for the Defendants opposes any request for additional time.

My associate has drafted an opposing response which I must edit and revise since it concedes several points raised by defense counsel.

He and I have been unable to meet to finalize Plaintiff's opposition to the motion because of court appearances. We simply need additional time to review and complete our work product.

*Application granted.
SO ORDERED:*

WILLIAM H. PAULEY III U.S.D.J.

5/12/08

*Plaintiff shall not receive
any further extensions*

This shall be the Plaintiff's last request for any additional time.

Respectfully,

John Ray

JR:lb

cc: Venkata McKenzie

Barbara Hathaway, Esq. (Via Fax)